



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

December 10, 2004

Mr. Kevin McBride
Morris & Ritchie Associates, Inc.
404 S. Bedford Street, Ste. 5
Georgetown, DE 19947

RE: PLUS review – PLUS 2004-11-08; Tull Meadows

Dear Mr. McBride:

Thank you for meeting with State agency planners on November 23, 2004 to discuss the proposed plans for the Tull Meadows project to be located east of Chapel Branch Road, north of Stein Highway.

According to the information received, you are seeking annexation and rezoning within the City of Seaford for the development of 501 residential homes on 153.6 acres. Specifically, this project is to develop 253 single-family detached houses and 248 townhouses.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the Town of Seaford will be the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town..

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090

The Office of State Planning Coordination notes that this project is proposed for annexation into the City of Seaford. It is within an Investment Level 2 area according to the 2004 Strategies for State Policies and Spending. In Investment Level 2 areas, State

policies support orderly, well planned development that is consistent in character with the surrounding area. On the matter of annexation of this property, the Office of State Planning Coordination has corresponded separately with the City of Seaford regarding the plan of services submission.

Regarding the project's design, the Office of State Planning Coordination is pleased to see a mix of housing styles, the preservation of a 100-foot buffer along Chapel Branch, and a layout that provides both vehicular and pedestrian connections throughout the community. We are also pleased to see future road connections and the proposed connection with Tull Street. We encourage the developer to consider alternative parking design and/or use traffic calming devices suggested by DelDOT along James Street, Rex Road and Welsh Road to minimize potential safety hazards related to vehicles backing out onto the roadways.

State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685

There is a known archaeological site within the subject property, with a high probability for other archaeological sites. SHPO is encouraged to see that the development stays outside of the wooded area on the west side of the parcel and that a buffer is provided along most of the wooded area. SHPO recommends that the entire wooded area include a buffer between the woods and development to preserve the sites. It is also encouraged that the applicant contact Anne McCleave at 302-739-5685 to schedule a time archaeologists from the SHPO office can visit the property to gain a better understanding of the archaeological sites and advise the developers on their plans. Also, there are potential historic properties immediately south of the proposed development. The SHPO noted that they appreciate the plans for landscaping along the southern edge of the development to lessen visual effects.

Another issue resulting from this plan is the future road connection that will be adjacent to the historic property south of the development. This is an issue between the City of Seaford and the owner of the historic property and the City should consider the historic property when dealing with this issue.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) A traffic impact study (TIS) was scoped for this project on July 29, 2004. DelDOT will comment to the City on the results of that study when it is complete and they have reviewed it. At a minimum, the developer should anticipate being required to improve Atlanta Road.
- 2) The response to item #37 on the PLUS form indicates that the site would have access onto Tull Street but the plan presented does not show that connection. There is a parcel (Tax Parcel 5-31-10-68.00) extending west from the existing Tull Street to the proposed Tull Street, but it is a privately held parcel, containing the driveway to an apartment or condominium development. DelDOT

understands that the developer has not approached the owner of that parcel about dedicating it yet and that the City may be making that contact. The presence or absence of that connection will be important to the TIS.

At the scoping meeting mentioned above, the connection to Tull Street was not anticipated. While we presently support that connection, it warrants full consideration in the TIS. For that reason, DelDOT will want to revisit the scope of work for the TIS if the connection becomes possible. You should anticipate expanding it to better address the impacts on Tull Street and Sussex Avenue.

- 3) This project could be served by a new Seaford/Delmar Shuttle service planned by the Delaware Transit Corporation (DTC) for implementation in January 2005. The closest stop currently planned is on Atlanta Road at Tull Street, but it is recommended that the developer meet with Mr. Wayne Henderson, a DTC Planner, to discuss establishing a stop at the planned community center on Green Way and Park Place. Mr. Henderson may be reached at (302) 577-3278, ext. 3553.
- 4) DelDOT commends the developer for providing the proposed stub streets to the north and south.
- 5) Welsh Road, Rex Road, and James Street in the proposed townhouse development all have straight alignments with long sections of head-in perpendicular parking on either side. Such a design tends to create problems with residents backing out into oncoming traffic that is moving relatively quickly. DelDOT recommends that the developer consider alternative designs for the placement of the parking, such as a combination of off-street parking pads and parallel or angle parking. Traffic calming devices such as speed humps should also be considered.
- 6) The developer's site engineer should contact the DelDOT Subdivision Manager for Sussex County, Mr. John Fiori, regarding their specific requirements for the site entrance on Atlanta Road. Mr. Fiori may be reached at (302) 760-2260.

**The Department of Natural Resources and Environmental Control – Contact:
Kevin Coyle 739-3091**

Soils

According to the soil survey update, Evesboro and Johnston were mapped in the immediate vicinity of the proposed construction. Evesboro is an excessively well-drained upland soil that has moderate limitations on account of its rapid permeability. Johnston is a very poorly-drained wetland associated (**hydric**) floodplain soil that has severe limitations for development.

Wetlands

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of palustrine forested wetlands on this site.

Impacts to Palustrine wetlands are regulated by the Army Corps of Engineers through Section 404 of the Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process.

To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting. These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

Vegetated buffers comprised of native trees, shrubs or no-mow grasses, of no less than 100 feet should be employed from the edge of the wetland complex. The developer should note that both DNREC and Army Corps of Engineers discourage allowing lot lines to contain wetlands to minimize potential cumulative impacts resulting from unauthorized and/or illegal activities and disturbances that can be caused by homeowners.

It should also be noted that this parcel immediately borders sensitive headwater riparian stream (Chapel Branch) of the Nanticoke River. Since the protection of water quality is a high priority, it is strongly recommended that the existing forested wetlands and/or uplands be protected in their entirety. Efforts to maximize or expand the existing natural forested buffer width via planting of native woody or herbaceous vegetation, is further recommended.

It should also be noted that this parcel immediately borders sensitive headwater or near headwater riparian wetlands associated with the Chapel Branch. Headwater streams and their associated wetlands are important for the protection of water quality and the maintenance/integrity of the ecological functions throughout the length of the stream, including the floodplain system downstream. Since such streams are a major avenue for nutrient-laden stormwater and sediment runoff, their protection deserves the highest priority.

The State is glad to see that the proposal shows the lot lines outside of the wetlands and their associated buffers.

ERES Waters

This project is located adjacent to environmentally sensitive receiving waters of the Chesapeake Bay Watershed; designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

TMDLs

With the adoption of Total Maximum Daily Loads (TMDLs) as a "nutrient-runoff-mitigation strategy" for reducing nutrients in the Chesapeake Bay Watershed, reduction of nitrogen and phosphorus loading will be obligatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. In the Chesapeake Watershed, "target-rate-reductions" of 30 and 50 percent will be required for nitrogen and phosphorus, respectively.

Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals fall under the auspices of Section 11.5 of the State of Delaware's Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as "pollution control strategies."

In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The State is pleased that you have a meeting scheduled with Lyle Jones (739-4590) in the Department's Watershed Assessment Section to discuss the acceptable protocol for calculating a nutrient budget.

The developer is encouraged to employ BMPs (or other pollution control strategies) such as stormwater management and riparian buffers to mitigate nutrient runoff into adjoining streams or watercourses. The previously mentioned recommendation for a **100-foot minimum isolation distance from all waterbodies and wetlands is an important BMP to attain nutrient load reduction goals. DNREC is encouraged to see that the site plan includes this buffer.**

Water Supply

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

Source Water Protection Areas

Significant portions of the southwestern and eastern areas of the site are located in a wellhead protection area (see map). According to the State law that created the Source Water Protection Program, county and municipal governments will be required to enact ordinances to protect Water Resource Protection Areas. The following language has been excerpted from the draft Source Water Protection Guidance Manual for Local Governments, Supplement 1 - Ground-Water Recharge Design Methodology.

While the language is currently draft and the local ordinances are not yet in place, the developer may find the language useful in modifying the site plan to protect the excellent recharge area.

Water Resource Protection Areas (WRPAs) are defined as (1) surface water areas such as floodplains, limestone aquifers, and reservoir watersheds, (2) wellhead areas, or (3) excellent recharge areas. The purpose of an impervious cover threshold is to minimize loss of recharge and protect the quality and quantity of ground and surface water supplies in WRPAs.

New development in WRPAs may exceed the 20 % impervious cover threshold, but be no more than 50 % impervious, provided the applicant submits an environmental assessment report recommending a climatic water budget and facilities to augment recharge. The environmental assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey relatively pure rooftop runoff for infiltration to ground water.

The Department recommends the following (ranked in order of preference):

- 1) Preserve WRPA's as open space and parks by acquisition or conservation easement.
- 2) Limit impervious cover of new development to 20 % by right within WRPA's.
- 3) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that directly infiltrate rooftop runoff.
- 4) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that infiltrate stormwater runoff from forested and/or grassed surfaces with pretreatment.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through Sussex Conservation District. Contact Jessica Watson, Program Manager, at (302) 856-7219 for details regarding submittal requirements and fees.

It is strongly recommended that you contact Sussex Conservation District to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre and post development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted to DNREC Division of Soil and Water Conservation along with the \$195 NOI fee prior to plan approval.

Applying practices to mimic the pre development hydrology on the site, promote recharge, maximize the use of existing natural features on the site, and limit the reliance on structural stormwater components, such as maintaining open spaces, should be considered in the overall design of the project as a stormwater management technique.

Each stormwater management facility should have an adequate outlet for release of stormwater. Any drainage conveyed onto this site from neighboring properties must be adequately conveyed through the site to the discharge point without interruption.

A Certified Construction Reviewer (CCR) will be required for the site during construction. You should contact Sussex Conservation District for details regarding the CCR requirement.

DNREC Drainage Section must approve the proposed outfall and discharge to the tax ditch. The letter of approval must be provided to the Conservation District with the plan submittal.

Swales must be located in open space.

Super Silt Fence must be used in areas adjacent to the wetlands and along the entire boundary of Chapel Branch.

Floodplains

This proposal involves greater than 5 acres/50 lots and impacts a floodplain which has not previously been studied in detail. **The applicant will be required to perform a 100-year flood study in accordance with FEMA guidelines and have the floodplain map revised.**

Lot lines should be excluded from the 100 year floodplain. This area should be set aside as community open space and reforested. Doing so will accomplish several things: it will remove structures from high hazard areas, it will preserve and expand the buffers on site and their value for birds and wildlife, and it will create recreational opportunities for residents by allowing them access to and views of the forest and stream.

Forests

According to 2002 aerial photos, there is a forested area in the western portion of this parcel. This area provides important water quality, air quality and habitat benefits both to the site itself and the region. The developer is commended for preserving the forested area and encouraged to enhance forested resources on site where possible. The forested areas on-site should be viewed as a community asset and managed appropriately.

Forested areas on-site set aside for conservation purposes should be placed into a permanent conservation easement or other binding protection. These areas should be clearly marked and delineated so that residents understand their importance and so that homeowner activities do not infringe upon these areas.

Open Space

In areas set aside for passive open space, the developer is encouraged to consider establishment of additional forested areas or meadow-type grasses. Once established, these ecosystems provide increased water infiltration into groundwater, decreased run-off into surface water, air quality improvements, and require much less maintenance than

traditional turf grass, an important consideration if a homeowners association will take over responsibility for maintenance of community open spaces.

Open space containing forest and/or wetlands should be placed into a permanent conservation easement or other permanent protection mechanism. Conservation areas should also be demarked to avoid infringement by homeowners.

Rare/Threatened/Endangered Species

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. We have records of *Lampetra aepyptera* (least brook lamprey) a rare fish species, within Chapel Branch. According to your application, there is no forest on the property, but aerial photographs reveal a forested buffer along Chapel Branch that is within this project parcel. It is recommended that this buffer be maintained as buffers are an integral component of aquatic and wetland habitats, reducing the amount of sediments, pollutants,

and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms. Forested buffers also serve as habitat for many terrestrial species that are dependent on aquatic and wetlands habitats for a portion of their annual life cycle.

Revegetation/Landscaping

DNREC requests that no invasive species be used in the revegetation of disturbed or landscaped areas. A list of species considered invasive in Delaware can be found on the DNHP web site, www.dnrec.state.de.us/fw/invasive.htm. They further encourage, where possible/feasible, the use of native plants for habitat restoration projects on-site and the DNHP Botanist, Bill McAvoy can be contacted at (302) 653-2880 to assist you in developing a plant list.

Nuisance Species

According to your application, you have considered nuisance geese and plan to plant shrubs and trees around the perimeter of the ponds within the project. If there are open areas in between the trees and shrubs, this should not be mowed as short manicured lawns are attractive to geese. Tall native grasses and wildflowers could be planted and would serve to deter geese, as they do not feel as safe from predators and other disturbance when their view of the area is blocked. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the home-owners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be

costly and labor intensive; however, with proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Recreation

It is recommended that sidewalks be built fronting every residence and stub streets. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities, 2) provide opportunities for neighbors to interact in the community, and 3) facilitate safe, convenient off-road access to neighboring communities, public mass transit stops, schools, stores, work, etc.

If a trail system is planned, we recommend that a series of stacking trail loops be designed with access points along the trail and connections to adjacent properties. Community trail systems with long continuous trails, perimeter-only trails, and systems with few access points, often go unused and neglected. For trail design/construction specifications, contact Susan Moerschel at (302) 739-5285.

You are encouraged to involve the Seaford Parks and Recreation Department in the recreation components of this project. Ron Breeding can be reached at (302) 628-6002.

The Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2003-2008 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities. The high and moderate facility needs in Western Sussex County are listed below. Consideration should be given to incorporate some of these recreation opportunities into the project. For additional information about the outdoor recreation priorities, contact Bob Ehemann at 739-5285.

High priorities are Walking or Jogging Paths, Picnic Areas, Bike Paths and Fishing Areas.

Moderate priorities are Swimming Pools, Baseball/Softball fields, Hiking Trails, Basketball Courts, Campgrounds and Playgrounds.

Underground Storage Tanks

There are two inactive LUST site(s) located near the proposed project:

Peninsula Oil Company, Facility #5-000257, Project # S9510252
West Seaford, Facility # 5-000617, Project # S9810175

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would be need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel in the contaminated areas.

Air Quality

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.

Once complete, vehicle emissions associated with this project are estimated to be 38.3 tons (76,591.3 pounds) per year of VOC (volatile organic compounds), 31.7 tons (63,412.4 pounds) per year of NO_x (nitrogen oxides), 23.4 tons (46,786.8 pounds) per year of SO₂ (sulfur dioxide), 2.1 ton (4,164.8 pounds) per year of fine particulates and 3,203.4 tons (6,406,764.1 pounds) per year of CO₂ (carbon dioxide).

Emissions from area sources associated with this project will be 15.4 tons (30,892.8 pounds) per year of VOC (volatile organic compounds), 1.7 ton (3,399.1 pounds) per year of NO_x (nitrogen oxides), 1.4 ton (2,820.8 pounds) per year of SO₂ (sulfur dioxide), 1.8 ton (3,640.1 pounds) per year of fine particulates and 62.6 tons (125,232.3 pounds) per year of CO₂ (carbon dioxide).

Emissions from electrical power generation associated with this project will be 6.1 tons (12,243.7 pounds) per year of NO_x (nitrogen oxides), 21.3 tons (42,586.7 pounds) per year of SO₂ (sulfur dioxide) and 3,140.8 tons (6,281,531.8 pounds) per year of CO₂ (carbon dioxide).

	VOC	NO _x	SO ₂	PM _{2.5}	CO ₂
Mobile	38.3	31.7	23.4	2.1	3203.4
Residential	15.4	1.7	1.4	1.8	62.6
Electrical Power		6.1	21.3		3140.8
TOTAL	53.7	39.5	46.1	3.9	6406.8

The Department of Natural Resources and Environmental Control is asking that local jurisdictions consider mitigation to help resolve this issue. Mitigation might involve limiting large new developments to growth zones, focusing development to urban areas capable of providing mass transit services, requiring more energy efficient homes which would lessen air quality impacts, and promoting walkability and bikability within and between developments and town centers.

The State notes that this proposed development is within an Investment Level 2 area and proposed for annexation within the City of Seaford. The internal pedestrian network and interconnected road system proposed, including stub streets to adjacent parcels, will help mitigate the potential air quality impacts as well. The State asks that the developer consider the development of energy efficient homes.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)
- Where a water distribution system is proposed for single family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq.ft., 3-stories of more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR
- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Atlanta Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

d. **Gas Piping and System Information:**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Public Service Commission - Contact: Andrea Maucher 739-4247

It appears that the project is not within the City of Seaford's CPCN area. If Seaford intends on annexing the property, it must notify the Commission when the annexation is complete. The City may serve the project without annexation, but it would need to apply for the CPCN.

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Delaware State Housing Authority – Contact Karen Horton 739-4263

This proposal is to annex and rezone 153.6 acres to develop 501 residential units east of Chapel Branch Road, north of Stein Highway, on the west side of Seaford. The proposal will consist of single-family detached and townhome units and is located in Investment Level 2, according to *the State Strategies Map*. DSHA supports this proposal because it is in an area where the state is encouraging compact, mixed use development and some of these units will be targeted for first-time homebuyers. The provision of these units will help address the need for affordable homeownership that was identified in the 2003 Statewide Housing Needs Assessment.

Delaware Emergency Management Agency – Contact: Don Knox 659-3362

Due to the large number of residential units being proposed, a significant impact to public safety is foreseen by implementation of this project. The developer should notify the police, fire service, and emergency medical response organization serving the City of Seaford, to keep them apprised of all development activities. Portions of this property are located in the Special Flood Hazard Area inundated by the 100-year flood.

Department of Education – Contact: Nick Vacirca 739-4658

501 dwelling units could generate an estimated 251 additional students for the Seaford School District.

Sussex County does not have school concurrence legislation at this time. It is recommended that the developer submit a package to the school district for informational purposes.

If the development is approved and build, please use the following information for school transportation planning. If there are homes more than 1/2 mile from the nearest public road (outside the development), developers should plan wide enough streets so that large school buses can access and turn around (without backing) from the furthest areas within the development while picking up and dropping off students. Should there not be any sites more than 1/2 mile from the nearest public road, provisions for appropriate pick-up

and drop-off at the development entrance should be included. The developer should work closely with the school district transportation supervisor.

In addition if any development is planned adjacent to school property, the developer should provide walking or bike paths for the use of multi modes of transportation.

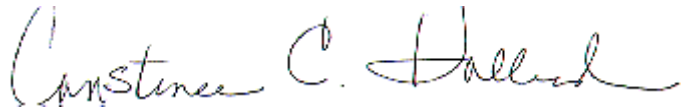
Sussex County – Contact: Richard Kautz 855-7878

Annexation will create an enclave at parcel 5-31-12-215 on the west side of Atlanta Ave and probably several others on the east side. Enclaves should be avoided. Also, to avoid any adverse impact on adjacent property, the active recreation areas should be moved away from parcel 215 and to a more centrally located part of the project. Finally, the developer should provide stub road access to adjacent property both within and outside the corporate limits as requested by DelDOT.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script, reading "Constance C. Holland".

Constance C. Holland, AICP
Director

CC: City of Seaford
Sussex County

Attachment: WRPA map